

Message

From: Henry, Tala [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=8BFC0A617A4A43BAA8856541C70622BE-THENRY02]
Sent: 1/29/2020 9:45:16 PM
To: Jeff Morris (Morris.Jeff@epa.gov) [Morris.Jeff@epa.gov]; Mark Hartman (Hartman.Mark@epa.gov) [Hartman.Mark@epa.gov]
Subject: FW: PFAS List Issues

Amazing how this is not working.

I am of the mind that the Industrial Chemistry Branch should be the final arbiter/definer of the list [an 'illustrative list' that went out with the SNUR is just that, illustrative, and can be explained as such]. It is increasingly important that OPPT **define** PFAS for at least our Program's purposes.

I had already planned to speak to David W about the 'errors' that were identified by industry and impress upon him the importance of CESSD/ICB ensuring quality work for the office; he is out all this week and Im out next week so will need to email him next week.

Concur? Or other ideas?

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From: Reisman, Larry <Reisman.Larry@epa.gov>
Sent: Wednesday, January 29, 2020 3:58 PM
To: Henry, Tala <Henry.Tala@epa.gov>
Cc: Hartman, Mark <Hartman.Mark@epa.gov>; Pierce, Alison <Pierce.Alison@epa.gov>; Turk, David <Turk.David@epa.gov>; Bushman, Daniel <Bushman.Daniel@epa.gov>
Subject: FW: PFAS List Issues

Hi Tala,

As follow-up to the meeting we had on Monday, 01/27, about the TRI PFAS list, below please find the description of 4 issues that are preventing us from arriving at a final initial list of PFAS subject to TRI reporting for calendar year 2020 (reports due to EPA by July 1, 2021). Accordingly, we do not plan to issue a revision to the initial posting of 160 PFAS by tomorrow as discussed on Monday. Further, because there is still so much uncertainty regarding this list, we would like to wait until after the ANPRM comment period closes on February 3 to see if there are any comments related to the 160 PFAS already posted. As I'm sure you will agree, we do not want to revise the 160 PFAS listing more than once if possible. Of course, that concern needs to be balanced against posting a corrected list relatively soon as facilities are required to consider this year's activities for the TRI reports due in July 2021.

We met on Tuesday, 1/28, with CESSD. CCD did not attend the meeting despite accepting the invitation. Clearly, the resolution here requires coordination between these two divisions which we are starting to fear may only happen with OPPT IO involvement.

Please advise.

Thanks!

Larry

566-0751

From: Turk, David <Turk.David@epa.gov>

Sent: Wednesday, January 29, 2020 3:41 PM

To: Reisman, Larry <Reisman.Larry@epa.gov>; Bushman, Daniel <Bushman.Daniel@epa.gov>

Subject: PFAS List Issues

Larry,

Dan drafted a summary of the issues that we're facing.

The following issues concern the PFAS covered by the structural definitions in the SNUR 721.10536:

1. In addition to the 2 PFAS that industry noticed should not have been on the list, TRI has identified at least 5 others that should not have been on the list and one other that should have been on the list. At this point we are not sure we have identified all the errors. ICB is also working to identify errors, with whom we shared what we have found thus far.
2. After reviewing a list of covered PFAS in the docket for the SNUR, ICB has indicated that there are additional PFAS that should be included under 721.10536 (we are awaiting their list).
3. There is some debate as to whether PFAS with unknown chain lengths are covered by the SNUR definition. The determination has been that if the PFAS could contain a chain length covered by the SNUR then it should be included. For example, one of the SNUR structural criteria is: $\text{CF}_3(\text{CF}_2)_m\text{-CH}_2\text{-X}$ where X is any chemical moiety where m is defined as $6 < m < 21$. The PFAS below has been included on the list even though there is no limit on its chain length.

Poly(difluoromethylene), .alpha.-fluoro-.omega.-[2-(phosphonooxy)ethyl]-, sodium salt (1:2) (65530-72-5)

The question we have, is it correct to include these types of PFAS under 721.10536? Following TRI's publication of the 160 PFAS, we learned of an "illustrative list" of PFAS regulated by 721.10536. This illustrative list includes substances such as the one mentioned above; however, the illustrative list also appears to include substances that do not meet the 721.10536 so it is unclear to what extent we can rely on the illustrative list to inform our understanding of what is or is not regulated by 721.10536.

4. There is some question as to whether certain polymers should be covered. The text of the SNUR says that fluoropolymers are not covered since the chain length was limited to 20 carbons, however, certain types of polymers have been included on the list that contain PFAS groups that meet the structural criteria. We want to make sure that these polymers have been correctly listed as covered by 721.10536.